



CITY OF EL MONTE

CITY CLERK'S OFFICE

City Clerk
LORENE GUTIERREZ

Chief Deputy City Clerk/
Records Manager
M. HELEN LOPEZ, CMC

May 19, 2005

Registrar-Recorder/County Clerk
Election Coordination Section
3rd Floor, Room 3207
12400 E. Imperial Hwy
Norwalk, California 90650

(562) 462-2629
Fax: (562) 462-3411

Dear Coordination Section:

Enclosed is a certified copy of the following resolutions, which were adopted at a regular meeting of the El Monte City Council, held on May 17, 2005.

1. Resolution No. 8596, Requesting the Board of Supervisors of the Los Angeles and/or the registrar Recorder/County Clerk for the County of Los Angeles to Render Specific Services and Consolidated Election Services to the city relating to the conduct of the City of El Monte General Municipal Election of Tuesday, **November 8, 2005**.
2. Resolution No. 8597, Calling and Giving Notice of the Holding of a Consolidated City of El Monte General Municipal Election to be conducted on Tuesday, **November 8, 2005**, for the Election of Certain Officers as Required by Provisions of the Law of the State of California pertaining to General Law Cities.
3. Resolution No. 8598, Adopting Regulations Relating to Candidates Statements for Candidates for Elective Office to be Elected by the voters at the consolidated City of El Monte General Municipal Election to be held on Tuesday, **November 8, 2005**.

If you have any questions or need additional information, please do not hesitate to contact this office at (626) 580-2020 during normal business hours, Monday through Thursday, between the hours of 7:00 a.m. to 5:30 p.m.

Sincerely,

LORENE GUTIERREZ
CITY CLERK

M. Helen Lopez, CMC
Chief Deputy City Clerk/Records Manager

(Continued – Page 2)

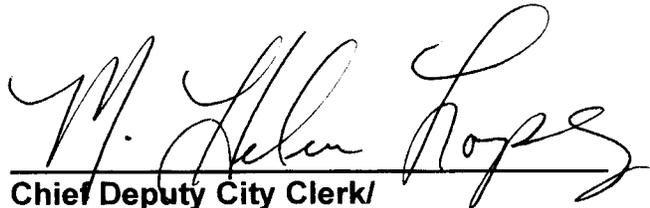
Cc: Board of Supervisors
Violet Varona-Lukens, Executive Officer
Room 383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

City of El Monte
Clarke E. Moseley
City Attorney/City Prosecutor



STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF EL MONTE)

I, M. HELEN LOPEZ, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct copy of:
Resolution No. 8596, adopted at a regular meeting of the El Monte City Council, held on May 17, 2005.



Chief Deputy City Clerk/
Records Manager, El Monte, California

RESOLUTION NO. 8596

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AND/OR THE REGISTRAR-RECORDER/COUNTY CLERK FOR THE COUNTY OF LOS ANGELES TO RENDER SPECIFIC SERVICES AND CONSOLIDATED ELECTION SERVICES TO THE CITY RELATING TO THE CONDUCT OF THE CITY'S GENERAL MUNICIPAL ELECTION OF TUESDAY, NOVEMBER 8, 2005 WHICH IS TO BE CONSOLIDATED WITH THE COUNTY-ADMINISTERED UDEL ELECTION OF THE SAME DATE PURSUANT TO THE BOARD OF SUPERVISORS AUGUST 3, 2004 ELECTION CONSOLIDATION APPROVAL.

WHEREAS, a General Municipal Election is to be held in the City of El Monte, California (hereinafter, the "City"), on Tuesday, November 8, 2005; and

WHEREAS, the El Monte City Council on July 6, 2004 passed and approved Ordinance No. 2616 which moved the date of the City's General Municipal Election to the first Tuesday following the first Monday in November of odd-numbered years; and

WHEREAS, the El Monte City Council passed and approved Resolution No. 8485 requesting that the Board of Supervisors for the County of Los Angeles (the "Board of Supervisors") approve the consolidation of the City's General Municipal Election with the County-administered Uniform District Election Law Election (the "UDEL Election") which is also held on the first Tuesday following the first Monday in November of odd-numbered years; and

WHEREAS, the Board of Supervisors at its regular meeting of August 3, 2004 approved the City's request to consolidate its November 8, 2005 General Municipal Election with the County-administered UDEL Election of the same date as confirmed by the August 4, 2004 confirmation letter of Violet Varona-Lukens, Executive Director to the Board of Supervisors.

WHEREAS, all necessary expenses incurred by the County in performing these services shall be compensated by the City.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. In keeping with the Board of Supervisors' August 3, 2004 election consolidation approval and California Elections Code Section 10002, the City Council hereby requests that the Registrar-Recorder/County Clerk for the County of Los Angeles (hereinafter, the "County Clerk"), in cooperation with the City, be authorized and directed to plan for, coordinate and administer the General Municipal Election of the City

precincting data, to the extent required, in light of consolidation; (e) make available to the City such election facilities, ballot casting equipment and assistance as may be necessary to conduct the election in compliance with state law and the Board of Supervisors' August 3, 2004 election consolidation approval; (f) canvass the election returns; (g) print and supply ballots for the election; (h) mail the City's sample ballots and candidate's statements of qualifications to the registered voters of the City of El Monte; and (i) administer the City's consolidated General Municipal Election in all respects as if it were part and parcel of the County-administered UDEL Election of the same date, implementing all such legally required or customarily employed measures and practices as may be necessary to conduct the election in a timely and legally compliant manner.

SECTION 2. As stated in El Monte City Council Resolution 8485, the City shall reimburse the County for any additional costs associated with the consolidation of the City's November 8, 2005 General Municipal Election with the County-administered UDEL Election of the same date.

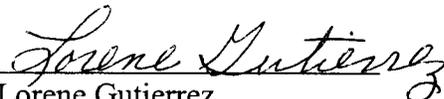
SECTION 3. The City Clerk is authorized and directed to forward without delay to the Board of Supervisors and to the County Clerk, each a certified copy of this Resolution.

SECTION 4. The City Clerk shall certify to the passage and adoption of this Resolution. This Resolution shall take effect upon adoption.

PASSED, APPROVED AND ADOPTED this 17th day of May, 2005.


Ernest G. Gutierrez
Mayor of the City of El Monte

ATTEST:


Lorene Gutierrez
City Clerk

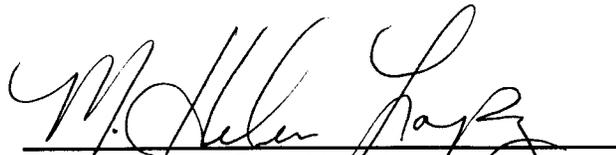
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Resolution No. 8596 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 17th day of May, 2005 and that said resolution was adopted by the following vote, to-wit:



STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF EL MONTE)

I, M. HELEN LOPEZ, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct copy of:
Resolution No. 8598, adopted at a regular meeting of the El Monte City Council, held on May 17, 2005.



Chief Deputy City Clerk/
Records Manager, El Monte, California

RESOLUTION NO. 8598

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, ADOPTING REGULATIONS RELATING TO CANDIDATE STATEMENTS FOR CANDIDATES FOR ELECTIVE OFFICE TO BE ELECTED BY THE VOTERS AT THE CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2005

WHEREAS, the El Monte City Council on July 6, 2004 passed and approved Ordinance No. 2616 which moved the date of the City's General Municipal Election to the first Tuesday following the first Monday in November of odd-numbered years; and

WHEREAS, the El Monte City Council passed and approved Resolution No. 8485 requesting that the Board of Supervisors for the County of Los Angeles (the "Board of Supervisors") approve the consolidation of the City's General Municipal Election with the County-administered Uniform District Election Law Election (the "UDEL Election") which is also held on the first Tuesday following the first Monday in November of odd-numbered years; and

WHEREAS, the Board of Supervisors at its regular meeting of August 3, 2004 approved the City's request to consolidate its November 8, 2005 General Municipal Election with the County-administered UDEL Election of the same date as confirmed by the August 4, 2004 confirmation letter of Violet Varona-Lukens, Executive Director to the Board of Supervisors; and

WHEREAS, Elections Code Section 13307 provides that the governing body of any local agency may adopt regulations pertaining to the recovery of certain costs associated with the printing, handling, translation and mailing of candidate statements as filed with the elections office pursuant to Elections Code Section 13307 materials prepared by any candidate for an office to be elected at a General Municipal Election, including costs of the candidate statement.

WHEREAS, the City Council approves the printing of the General Municipal Election information for the election to be held on Tuesday, November 8, 2005, in English, Spanish, Chinese and Vietnamese languages to satisfy the requirements of the Voting Rights Act of 1965. (Note: Chinese and Vietnamese language election information such as the candidate statements, sample ballot, arguments, analysis, etc. for measures will ONLY be available for inspection and copying upon request in the Office of the City Clerk); and

WHEREAS, the City Council approved the publication of the Notice of Election to be published in the English, Spanish, Chinese and Vietnamese languages.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to Section 13307 of the Elections Code of the State of

Pursuant to §13307(a)(1) of the California Elections Code, the candidate statement shall not include the following:

- (a) The party affiliation of the candidate; or
- (b) References to membership or activity in partisan political organizations.

All prospective candidates should be aware of the holding in Dean v. Superior Court (1998) 62 Cal.App.4th 638 which holds that a statement prepared by a candidate for inclusion in the voters' pamphlet may not include comments concerning the qualifications (or alleged lack thereof) of one's opponents. Candidates, in an abundance of caution, should avoid making reference to opponents in their candidate statements. Candidates should seek the advice of private legal counsel if unsure as to whether their candidate statement does or does not comply with applicable law before filing.

The candidate statement shall be filed in type written form at the Office of the City Clerk at the time the candidate's nomination papers are filed. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. OFFICE OF MAYOR: Each candidate to fill the Office of Mayor for the term to be voted for at the consolidated General Municipal Election to be held in the City of El Monte on Tuesday, November 8, 2005, may prepare and submit to the office of the City Clerk a written candidate statement on an appropriate form provided by the City Clerk in accordance with Elections Code Section 13307 and the office Registrar-Recorder/County Clerk for the County of Los Angeles (hereinafter, the "County Clerk"). The candidate statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are returned for filing for the consolidated General Municipal Election to be held on Tuesday, November 8, 2005. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period for the Office of the Mayor.

SECTION 3. MEMBER OF CITY COUNCIL: Each candidate to fill the Office of Member of the City Council for the term to be voted for at the consolidated General Municipal Election to be held in the City of El Monte on Tuesday, November 8, 2005, may prepare and submit to the office of the City Clerk a written candidate statement on an appropriate form provided by the City Clerk in accordance with Elections Code Section 13307 and the office of the County Clerk. The candidate statement shall be filed in the office of the City Clerk at the time the candidate nomination papers are returned for filing for the consolidated General Municipal Election to be held on Tuesday, November 8, 2005. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period for the Office of the City Council Member.

SECTION 4. OFFICE OF CITY TREASURER: Each candidate to fill the Office of City Treasurer for the term to be voted for at the consolidated General Municipal Election to be held in the City of El Monte on Tuesday, November 8, 2005, may prepare and submit to the City Clerk a written candidate statement on an appropriate form provided by the City Clerk in accordance with Elections Code Section 13307 and

to the office of the City Clerk a written candidate statement on an appropriate form provided by the City Clerk in accordance with Elections Code Section 13307 and the office of the County Clerk. The candidate statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are returned for filing for the consolidated General Municipal Election to be held on Tuesday, November 8, 2005. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period for the Office of City Clerk.

SECTION 6. Subject to any logistical constraints imposed by the County Clerk by virtue of consolidation, the City Clerk shall have translated (from the English to the Spanish, Chinese and Vietnamese languages) and printed in the voters pamphlet only the candidate statement of those candidates who request such translation and printing at the time of filing of the candidate statement.

SECTION 7. No candidate for any elected office of the City shall be permitted to include additional materials in the voters' pamphlet and sample ballot package.

SECTION 8. Each candidate for any of the offices to be elected at the consolidated General Municipal Election to be conducted on November 8, 2005, who files a candidate statement of qualifications shall as a condition of having his or her candidate statement included in the voter's pamphlet, concurrently deposit with the City Clerk, an amount as reasonably estimated by the City Clerk to pay in advance his or her estimated *pro rata* share of the actual costs of printing and handling such candidate statement incurred by the City and/or the County Clerk as a result of providing such service at the time of filing such statement with the City Clerk, provided however, that the amount of the deposit shall be no more than \$1,600.00. The receipt for the payment for the deposit to the City Clerk shall include a written notice that the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate for the consolidated General Municipal Election to be conducted on November 8, 2005, depending on the actual number of candidates filing candidate statements for each particular office. Accordingly, the City Clerk is not bound by the estimate and may, on a *pro rata* basis, bill each candidate for each particular office for additional actual expense or refund any excess payment depending on the final actual cost, provided however, that the final actual cost billed to any candidate for his or her *pro rata* costs shall not exceed the sum of \$1,600.00. In the event that the amount paid as a deposit by a candidate includes an overpayment of actual costs incurred by the City and/or County Clerk, the City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days following the date of the election.

SECTION 9. The City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 10. This Resolution shall apply only to the election to be held on Tuesday, November 8, 2005, and shall thereafter have no further force or effect.

SECTION 11. The City Clerk shall certify to the passage and adoption of this Resolution. This Resolution shall take effect upon adoption.

ATTEST:

Lorene Gutierrez
Lorene Gutierrez
City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Resolution No. 8598 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 17th day of May, 2005 and that said resolution was adopted by the following vote, to-wit:

AYES: Mayor Gutierrez, Councilman Barrios, Councilman Gomez,
 Councilwoman Ishigaki and Councilwoman Wallach

NOES: None

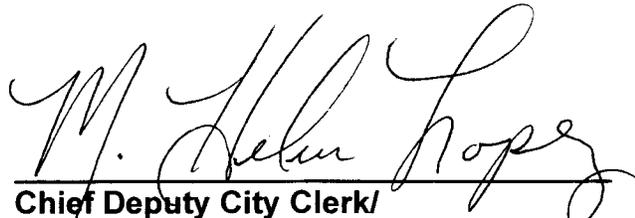
ABSENT: None

Lorene Gutierrez
Lorene Gutierrez
City Clerk



STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF EL MONTE)

I, M. HELEN LOPEZ, CMC, Chief Deputy City Clerk/Records Manager of the City of El Monte, California, do hereby certify this to be a true and correct copy of:
Resolution No. 8597, adopted at a regular meeting of the El Monte City Council, held on May 17, 2005.



Chief Deputy City Clerk/
Records Manager, El Monte, California

RESOLUTION NO. 8597

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA CALLING AND GIVING NOTICE OF THE HOLDING OF A CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE CONDUCTED ON TUESDAY, NOVEMBER 8, 2005, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA PERTAINING TO GENERAL LAW CITIES

WHEREAS, under the provision of the laws relating to general law cities in the State of California, a General Municipal Election of the City of El Monte ("City") may be conducted on November 8, 2005, for the election of the following municipal officers:

- (A) Mayor;
- (B) Member of the City Council – two (2) offices;
- (C) City Treasurer; and
- (D) City Clerk.

WHEREAS, the El Monte City Council on July 6, 2004 passed and approved Ordinance No. 2616 which moved the date of the City's General Municipal Election to the first Tuesday following the first Monday in November of odd-numbered years; and

WHEREAS, the El Monte City Council passed and approved Resolution No. 8485 requesting that the Board of Supervisors for the County of Los Angeles (the "Board of Supervisors") approve the consolidation of the City's General Municipal Election with the County-administered Uniform District Election Law Election (the "UDEL Election") which is also held on the first Tuesday following the first Monday in November of odd-numbered years; and

WHEREAS, the Board of Supervisors at its regular meeting of August 3, 2004 approved the City's request to consolidate its November 8, 2005 General Municipal Election with the County-administered UDEL Election of the same date as confirmed by the August 4, 2004 confirmation letter of Violet Varona-Lukens, Executive Director to the Board of Supervisors.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to the election laws of the State of California relating to general law cities, the City Council hereby calls and orders a General Municipal Election

SECTION 2. The form of the ballots to be used at the General Municipal Election for the municipal offices as called and ordered in Section 1 of this Resolution, shall be in form and contents as required by law or as otherwise required or directed by the Registrar-Recorder for the County of Los Angeles (hereinafter, the "County Clerk") to facilitate the consolidation of the City's November 8, 2005 General Municipal Election with the County-administered UDEL Election of the same date.

SECTION 3. Except as otherwise required or directed by the County Clerk to facilitate the consolidation of the City's November 8, 2005 General Municipal Election with the County-administered UDEL Election of the same date, the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the General Municipal Election as hereby called and ordered in Section 1 of this Resolution.

SECTION 4: The polls for the General Municipal Election as ordered and called in Section 1 of this Resolution shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when polls shall be closed, except as otherwise directed by the County Clerk pursuant to state law.

SECTION 5: In all particulars not otherwise specifically provided in this Resolution, the General Municipal Election shall be held and conducted as provided by law for holding General Municipal Elections and elections consolidated with the County-administered UDEL Election.

SECTION 6: Any compensation afforded to precinct board members and other poll workers pursuant to Elections Code §12310 shall be in keeping with the rates set forth by the County Clerk and/or the Board of Supervisors, if any.

SECTION 7: This Resolution shall conclusively provide evidence that notice of the time and place of holding the consolidated General Municipal Election for Tuesday, November 8, 2005 has been given by the City Council and the City Clerk is hereby authorized and directed to give further additional public notice of the calling of the consolidated General Municipal Election of the City of El Monte for Tuesday, November 8, 2005 (including the publication of such notice printed in English, Spanish, Chinese, and Vietnamese languages) in time, form and manner as required by law or as otherwise directed by the County Clerk.

SECTION 8: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions of the City.

PASSED, APPROVED AND ADOPTED this 17th day of May,
2005.


Ernest F. Gutierrez

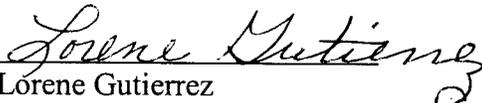
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Lorene Gutierrez, City Clerk of the City of El Monte, hereby certify that the foregoing Resolution No. 8597 was passed and adopted by the City Council of the City of El Monte, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 17th day of May, 2005 and that said resolution was adopted by the following vote, to-wit:

AYES: Mayor Gutierrez, Councilman Barrios, Councilman Gomez,
 Councilwoman Ishigaki and Councilwoman Wallach

NOES: None

ABSENT: None


Lorene Gutierrez
City Clerk